



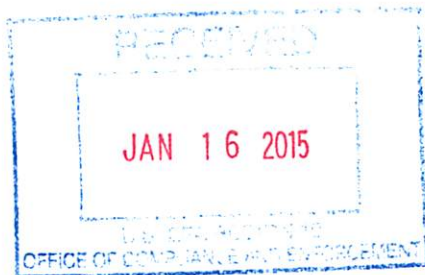
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FILE NO: 74096.000007 [53823959]



January 15, 2015

VIA EMAIL AND OVERNIGHT MAIL

Mr. Peter Magolske
U.S. Environmental Protection Agency
Office of Compliance and Enforcement
M/S OCE-127
1200 Sixth Avenue, Suite 900
Seattle, WA 98101

Mr. Brian Monson
Idaho Department of Environmental Quality
1410 North Hilton Street
Boise, ID 83706

Re: Quarterly Progress Report – Fourth Quarter 2014 (October 1 – December 31)
Administrative Order on Consent, Docket No. RCRA-10-2009-0186
Nu-West Industries, Inc. Conda Phosphate Operations

Dear Mr. Magolske and Mr. Monson:

In accordance with Paragraph No. 72 of the above-referenced Administrative Order on Consent (“Consent Order”), this letter serves as Nu-West Industries, Inc.’s (“Nu-West”) quarterly progress report demonstrating that all activities associated with the Consent Order are being carried out.

I. A-34 Lateral Assessment Work Plan

The following activities were conducted during Fourth Quarter 2014, pursuant to (or related to) the EPA-approved *A-34 Lateral Assessment Work Plan* (January 9, 2013), prepared pursuant to the Consent Order:

- Nu-West continued providing to EPA and IDEQ monthly submittals *via* FTP site of water level and temperature measured by a pressure transducer and data logger installed in groundwater monitoring well A-34-022 and continued providing pH and fluid conductivity measured during bi-weekly sampling.

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II. Groundwater Monitoring Plan

The following activities were conducted during Fourth Quarter 2014, pursuant to (or related to) the *Revised Groundwater Monitoring Plan* (October 30, 2013) and subsequent revisions, prepared pursuant to the Consent Order.

- On November 3, 2014, Nu-West submitted to EPA and IDEQ the *Groundwater Monitoring Plan, Revision 2*. The plan was disapproved by EPA with comments.
- On November 12, 2014, Nu-West submitted to EPA and IDEQ the *Groundwater Monitoring Plan, Revision 3*. The plan was approved by EPA via email dated November 12, 2014.
- On December 12, 2014, Nu-West submitted to EPA and IDEQ the *3rd Quarter 2014 Groundwater Monitoring Report*.
- Between October 30, 2014 and November 13, 2014, Nu-West conducted quarterly groundwater monitoring in accordance with the approved *Groundwater Monitoring Plan, Revision 3* (November 12, 2013). For this event, water level measurements were collected at 116 monitoring wells and groundwater samples were collected from 94 monitoring wells.
- On November 20 and 21, 2014, and December 11, 2014, Nu-West collected groundwater samples from one offsite production well (Arr-Maz) and seven domestic wells as detailed in the *Groundwater Monitoring Plan, Revision 3* (November 12, 2013).
- On October 2, November 13, and December 11, 2014, Nu-West conducted monthly groundwater monitoring in accordance with the *Revised Groundwater Monitoring Plan* (October 30, 2013) or the *Groundwater Monitoring Plan, Revision 3* (November 12, 2014). The work included collecting water level measurements at 17 monitoring wells and groundwater samples from 7 monitoring wells.

III. 2014 Groundwater Investigation Work Plan

The following activities were conducted during Fourth Quarter 2014, pursuant to (or related to) the EPA-approved *2014 Groundwater Investigation Work Plan* (June 13, 2014), prepared pursuant to the Consent Order.



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- Beginning during the Third Quarter 2014, and continuing through November 13, 2014, Nu-West conducted field activities related to implementing the *2014 Groundwater Investigation Work Plan*. The work included aquifer testing, well development, investigation-derived waste management, demobilization of equipment, and groundwater monitoring at 19 new monitoring wells. Nu-West provided weekly progress reports to EPA and IDEQ on investigation activities.

In accordance with Paragraph Nos. 75 and 76 of the Consent Order, the certification of a duly authorized representative is included as Attachment A to this letter.

If you have any questions, please do not hesitate to contact me.

Sincerely,


for P. Scott Burton

cc: J Wayne Maxie, Nu-West
Barry N. Burnell, IDEQ

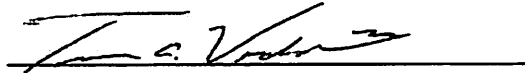
Attachment – Certification

ATTACHMENT A

CERTIFICATION

I certify under penalty of law that the attached Quarterly Progress Report – Fourth Quarter 2014 (October 1 – December 30) was prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Signature:



Name:

Tim Vedder

Title:

Plant Manager, Nu-West Conda Phosphate Operations

Date:

1/15/15